THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.23622 OF 2001

DATED: 12-09-2007

Between :

1. P. Vijaya Bhaskar Reddy and another … Petitioners

And

1. The Principal Secretary to Government of A.P., PR & RD Dept., Secretariat Buildings, Hyderabad., And 4 others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.23622 OF 2001

ORDER :

The petitioners herein claim to be registered contractors executing civil works.

This writ petition is filed seeking a declaration that the proceedings of the 1st respondent dated 28-9-2001 whereunder the 4th respondent Gram Panchayat was entrusted the work of CPWS at the estimated cost of Rs.75 lakhs, on nomination basis, as arbitrary and illegal.

It is primarily contended by the petitioners that the action of the respondents in entrusting the work to the 4th respondent on nomination basis without inviting tenders is arbitrary and illegal.

Though no counter-affidavit is filed on behalf of the official respondents, in the counter-affidavit filed by the respondents 5 to 18 who got themselves impleaded to the writ petition, it is stated that the writ petitioners who had never participated in the earlier tenders floated by the 1st respondent, have no *locus standi* to question the impugned action.

I have heard the learned Counsel for both the parties and perused the material on record.

Though various contentions have been raised on merits, I am not inclined to express any opinion since the learned Counsel for the respondents did not dispute the fact that even if the impugned order is upheld on merits, it is not possible for the 4th respondent to execute

the work at the rates estimated in the year 2001.

In the circumstances, without expressing any opinion on merits, the impugned order is set aside and the Writ Petition is disposed of with a direction to the respondents 1 to 3 to take fresh steps for execution of the work in question following due process of law. No costs.

G. ROHINI, J.

Dt. 12–09-2007
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